

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

In re: )  
 )  
AMERICAN SLEEP MEDICINE, LLC, ) Bk. No. 21-02741  
 ) Chapter 11  
Debtor. ) Judge Walker

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**U.S. TRUSTEE'S NOTICE OF RESOLVED OBJECTION TO DISCLOSURE  
STATEMENT**

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The Acting U.S. Trustee, Region 8, requested that Debtor make certain changes to the Disclosure Statement to comply with the Bankruptcy Code. This notice summarizes those changes for the Court and other parties. The Debtor initially filed a Disclosure Statement on January 6, 2022 [Docket No. 127]. After the U.S. Trustee informally raised concerns with inaccuracies in the Disclosure Statement, the Debtor withdrew the Disclosure Statement [Docket No. 149] and filed the First Amended Disclosure Statement on June 1, 2022 [Docket No. 179] (collectively with the Disclosure Statement, the “Prior Disclosure Statements”). The U.S. Trustee again raised concerns regarding inaccuracies in the First Amended Disclosure Statement and the Debtor agreed to additional changes. The Debtor filed a Second Amended Disclosure Statement on July 12, 2022 [Docket No. 189]. A summary of the changes are as follows:

1. Various Typographical Errors: The Prior Disclosure Statements had significant typographical errors that made the documents confusing. The Second Amended Disclosure Statement has corrected the typographical errors.
2. Mathematical Error Regarding Class 2 Treatment: The Prior Disclosure Statements proposed a \$5,000 per month payment to Class 2 creditors and stated creditors would not receive less than 25% of their claim. Based on Exhibit C to the Prior Disclosure Statements, the payment

to Class 2 creditors needed to increase to over \$7,033.33 per month to fulfill the 25% payment of claims. The Second Amended Disclosure Statement increases the monthly payment to Class 2 creditors to \$7,250.00 per month.

3. Liquidation Analysis Errors: The Prior Disclosure Statements referenced a balance sheet that was not included as an exhibit. The Second Amended Disclosure Statement includes a balance sheet as Exhibit E.

4. Priority Tax Claim Error: The Prior Disclosure Statements stated that there were no priority tax claims, but there are over \$13,000 in filed priority tax claims. The Second Amended Disclosure Statement summarizes the claims and proposes priority treatment.

Based on the changes made by the Debtor, the U.S. Trustee's informal objections to the Second Amended Disclosure Statement have been resolved. The Debtor has agreed to file a Second Amended Plan reflecting the same changes.

Respectfully submitted,

PAUL RANDOLPH,  
Acting U.S. Trustee, Region 8

/s/ *Rebecca J. Yielding*

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#### **CERTIFICATE OF SERVICE**

I certify that on July 12, 2022, a copy of the foregoing document was sent electronically to registered ECF users.

/s/ *Rebecca J. Yielding*

Rebecca J. Yielding, Trial Attorney